

Congress of the United States

Washington, DC 20510

February 25, 2009

Secretary Janet Napolitano
Department of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Dear Madame Secretary,

We are writing to provide formal comment on the Transportation Security Administration's (TSA) proposed Large Aircraft Security Program (LASP). We urge you to reconsider the program and seek greater stakeholder input as a part of the rulemaking process.

The Alaska Delegation fully supports the Department of Homeland Security and TSA's proactive approach to anticipating future threats. However, we believe any security measures must undergo a thoughtful cost-benefit analysis. Our primary concern is that this plan's far-reaching effects have not been properly weighed against potential threats. We fear the LASP plan may drastically impact the lives of our constituents with little security gain.

Alaska will be uniquely impacted by this plan. Many of our rural communities rely on aircraft covered by the proposed rules for essential passenger, freight and emergency services. Unfortunately, the public meetings held on this rule were located in urban areas far from Alaska, preventing many of our constituents from having the opportunity to address the effects this rule would have on our way of life.

The LSAP represents a monumental shift in the TSA's role, which brings the agency further into the realm of general aviation than ever before. It also presents practical problems for small commercial operators and small communities. At this time, we will address our three most pressing concerns.

First, we are concerned with the plan's definition of "large" aircraft. The TSA proposal relies on the Federal Aviation Administration's existing definition of large aircraft. While this may be convenient, it does not appear that this definition is directly tied to potential security threats. This essentially arbitrary line impacts a number of aircraft essential to life in rural Alaska. We remind the TSA that many rural Alaskan communities are accessible only by air and rely on aircraft of this size for food, supplies and emergency transport. The TSA proposal adds a

large burden to small commercial carriers without any demonstration that they pose a significant risk. We urge the TSA to draw a line more consistent with actual security threats.

Second, we have serious concerns over the proposal to require large aircraft operators to develop new security plans. Although the requirements for the proposed plans are unclear, it appears that the TSA plans to place serious restrictions on all items included on the TSA's prohibited items list. This list contains a multitude of items of great importance to life in rural Alaska, including common hand tools. In fact, Alaska State law requires aircraft to carry survival kits that include many TSA banned items (see AS 02.35.110.) The TSA must provide flexibility for such circumstances.

Finally, we are concerned with the proposal's requirement of new security programs at airports servicing large aircraft. This regulation seems to impose a requirement with which many aviation-dependent communities are unable to comply. Many of these communities lack airport personnel, local law enforcement or even the ability to issue photo ID cards. While the TSA suggests the public should think of the cost as \$44 per flight, the upfront costs on small communities could be enormous. The State of Alaska estimates compliance could cost \$400,000 per community. This is a significant cost for a village with only a few hundred residents. Again, we urge the TSA to be flexible with such unique circumstances.

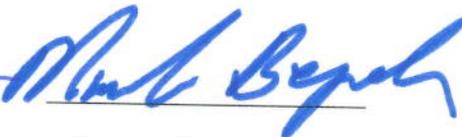
Given these concerns, we ask the TSA to postpone implementation until it has fully engaged industry stakeholders. The TSA must develop a plan to enhance security without excessively burdening the transportation system our constituents depend on. Stakeholder improvement must include a public hearing in Alaska, at a minimum.

We look forward to working together to address these concerns.

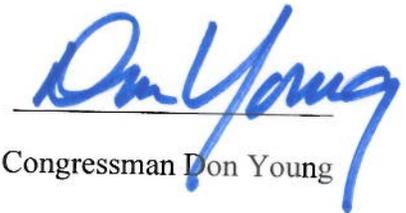
Sincerely,



Senator Lisa Murkowski



Senator Mark Begich



Congressman Don Young

CC: Ray LaHood, Secretary of Transportation